

AO 91 (Rev. 01/09) Criminal Complaint

**FILED**  
 UNITED STATES DISTRICT COURT  
 LAS CRUCES, NEW MEXICO

# UNITED STATES DISTRICT COURT

FEB 27 2025

for the  
 District of New Mexico

MITCHELL R. ELFERS  
 CLERK OF COURT

United States of America  
 v.

Harvee SOMA-Monterroso

Case No: 25-299 MJ

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of February 25, 2025 in the county of Dona Ana in the State and District of New Mexico, the defendant violated 8 U.S.C. §1326(a)(1),(2)(Re-Entry After Deport), an offense described as follows:

an alien, who had been previously arrested and deported from the United States and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, being willfully in the United States unlawfully

This criminal complaint is based on these facts:

The defendant was encountered by Border Patrol Agents on February 25, 2025, at the Border Patrol Agents in Dona Ana County, New Mexico. When questioned as to his citizenship, the defendant admitted to being a citizen of Guatemala without authorization to enter or remain in the United States. Records checks indicated that the defendant was removed from the United States to Guatemala on January 24, 2025. There is no evidence to indicate that the defendant has received the permission of the appropriate authority to reapply for admission into the United States.

☐ Continued on the attached sheet.

Sworn to before me <sup>via phone.</sup> and signed in my presence.

Date: February 27, 2025

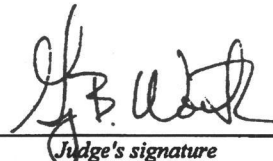
City and state: Las Cruces, N.M.



Complainant's signature

Filiberto Palafox, Agent

Printed name and title



Judge's signature

Gregory B. Wormuth, Chief U.S. Magistrate Judge

Printed name and title